IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRD DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 17000 of 2005

Between:

Muthe Basavapurnna Rao,

..... PETITIONER

AND

1.The Depot Manager, Visakha Steel City Depot,
Visakhapatnam, Visakhapatnam District.
2. Sri K. Phani Shankar, Depot Manager, Visakha Steel City Depot, Visakhapatnam, Visakhapatnam District.

.....RESPONDENTS

The Court made the following:

ORDER:

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This writ petition is filed by the petitioner, assailing the show cause notice vide proceedings No.PA/95/(17)/2005, VSCD, dated 20.07.2005 under which the petitioner was asked to submit his explanation for the proposed penalty of removal to be imposed on the petitioner.

2. At the time of hearing, it is represented by the learned counsel for the petitioner that the present show cause notice is a second show cause notice and contended that the findings recorded by the respondent-Disciplinary Authority is not proper and just, therefore, sought for appropriate orders.

3. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents and considered the material available on record.

4. As the present show cause notice is second show cause notice issued by the respondents-Disciplinary Authority before imposing the punishment, which is not contemplated under law, in any case, such show cause notice was issued by the respondent, it is for the petitioner to submit his explanation and this Court cannot entertain this writ petition against such show cause notice.

5. Accordingly, the writ petition is dismissed. However, the petitioner is directed to submit his explanation within a period of one week and if such explanation is submitted, the respondent is directed to consider and pass appropriate orders, if no orders are already passed. No costs.

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(S. ANANDA REDDY, J)

Date: 03.08.2005

Ksn